

REMARKS

This application has been reviewed in light of the Office Action dated March 29, 2004. Claims 1-8, 11-20, 23-25, 27-40, 43, and 44 are presented for examination, and have been amended to define still more clearly what Applicant regards as his invention. Claims 9, 10, 21, 22, 26, 41, and 42 have been canceled, without prejudice or disclaimer of subject matter, and will not be discussed further. Claims 1, 7, 13, 19, 25, 33, and 39 are in independent form. Favorable reconsideration is requested.

Claims 1-5, 7, 8, 12-17, 19, 20, 24, 25, 30, 32-37, 39-40, and 44 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,437,881 (*Baba et al.*), and Claims 6, 11, 18, 23, 27-29, 31, 38, and 43 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Baba et al.* in view of U.S. Patent No. 6,327,382 (*Kaneda et al.*)

As shown above, Applicant has amended independent Claims 1, 7, 13, 19, 25, 33, and 39 in terms that more clearly define what he regards as his invention. Applicant submits that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

The aspect of the present invention set forth in Claim 1 is a method of controlling a receiving apparatus which processes an image. The method includes the steps of receiving data of the image. The data being transmitted from a transmitting apparatus which is connected through a network. The method also includes judging a format of the data received in the receiving step. The format indicates whether an area analyzing

processing and a character recognition processing are executed for the image by the transmitting apparatus, executing the area analyzing processing and the character recognition processing for the data based on the format of the data judged in the judging step, and outputting the data for which both the area analyzing processing and the character recognition processing have been executed. The executing step includes executing both the area analyzing processing and the character recognition processing if it is judged in the judging step that the area analyzing processing and the character recognition processing are not executed for the data by the transmitting apparatus. Also, the executing step includes executing the character recognition processing for the data if it is judged in the judging step that the area analyzing processing is executed for the data by the transmitting apparatus and the character recognition processing is not executed for the data by the transmitting apparatus.

Among other important features of Claim 1 are judging a format of the data which has been received in the receiving step, where the format indicates whether an area analyzing processing and a character recognition processing are executed for the image by the transmitting apparatus, and executing the area analyzing processing and the character recognition processing for the data based on the format of the data judged in the judging step. That is, the format of the image data received by the receiving apparatus indicates whether both the area analyzing processing and the character recognition processing have been executed for the image by the transmitting apparatus, and the receiving apparatus executes the area analyzing processing and the character recognition processing based on the result of the judgement performed in the judging step. Accordingly, the type of

processing to be executed by the receiving apparatus varies depending on the judgement result.

Baba et al. relates to an image processing method and apparatus with which an image is processed for communicating image data between different types of apparatuses through a network line. *Baba et al.* discusses that an original document image is separated into a character information plane and a picture information plane based on a discrimination between a character or image for each pixel. An approximate resolution conversion is executed for each plane based on transmission properties, such as a transmission image quality or speed, and that this data is formatted by an image-format-lapping portion 16 and transmitted to another apparatus by the transmitting portion 17. That is, *Baba et al.* merely discusses that a character area and a picture area are separated and each area is converted with a resolution different from the other. However, nothing has been found in *Baba et al.* that would teach or suggest judging a format of the data which has been received in the receiving step, where the format indicates whether an area analyzing processing and a character recognition processing are executed for the image by the transmitting apparatus, and executing the area analyzing processing and the character recognition processing for the data based on the format of the data judged in the judging step, as recited in Claim 1.

For at least the above reasons, Applicant submits that Claim 1 is patentable over *Baba et al.*

Independent Claims 13 and 33 are apparatus and storage medium claims, respectively, corresponding to method Claim 1, and are believed to be patentable for at

least the same reasons as discussed above in connection with Claim 1. Additionally, independent Claims 7, 19, 25, and 39 include features similar to those discussed above in connection with Claim 1. Accordingly, Claims 7, 19, 25, and 39 are believed to be patentable for reasons substantially similar as those discussed above in connection with Claim 1.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Leonard P. Diana
Attorney for Applicant

Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN436889